IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P(S). No. 7601 of 2026

JYOTI PRASAD MEHTA, aged about- 58 years, Son of - Late Kalevar koiry, R/o- vill- Dulmi, P.O.- Lowahatu P.S.- Bundu, Dist.- Ranchi (Jharkhand).

.....Petitioner(s)

Versus

1. The State of Jharkhand through the Secretary. Higher, Technical Education & Skill Development Department, having its office at-Nepal House, Doranda, P.O. & P.S. - Doranda, District- Ranchi (Jharkhand).

2.The Director, Higher, Technical Education & Skill Development Department, having its office at- Nepal House. Doranda, P.O. & P.S. Doranda, District-Ranchi (Jharkhand).

3. The Ranchi University, Ranchi through its Vice-Chancellor, P.O. Ranchi University, P.S. Kotwali, Ranchi-834008, District Ranchi (Jharkhand).

4. The Registrar, Ranchi University, Ranchi, P.O. Ranchi University, P.S. Kotwali, Ranchi-834008, District Ranchi (Jharkhand).

5. The Principal, PPK College Bundu, Bundu, P.O. Bundu & P.S.- Bundu, District Ranchi. **.....Respondent(s)**

CORAM: HON'BLE MR. JUSTICE DEEPAK ROSHAN

For the Petitioners : Mr. Prem Pujari Roy, Advocate

For the Respondents : Mr. Amit Kumar Sinha, Advocate

02/ Dated: 23.09.2026

Heard learned counsel for the parties.

2. The instant writ application has been preferred by the petitioner praying therein for the following reliefs:

> *"a. For issuance of an appropriate writ/writs, order/orders, direction/directions including a writ in the nature Mandamus, commanding upon the respondents more particularly respondent no. 3 and 4 herein to immediately and forthwith take appropriate decision in accordance with law/statute, on the claim cum representation filed by the petitioner dated 25.02.2025, filed in*

compliance of the Judgement / Order dated 08.01.2025 passed by the Hon'ble Supreme Court of India, in Contempt Petition (C) no. 115 of 2019 arising out of Civil Appeal no. 2703/2017; facts thereof are more vividly narrated hereunder in subsequent paragraphs.

b. Further, commanding upon the respondents more particularly respondents State of Jharkhand, to immediately and forthwith grant approval of the pay scale of the petitioner in the revised pay scale pursuant to 5th Pay Revision Committee Report w.e.f. 01.01.1996; 6th Pay Revision Committee Report w.e.f. 01.01.2006 & 7th Pay Revision Committee Report w.e.f. 01.01.2016, appreciating the fact that the service of the petitioner has been absorbed by the Ranchi University vide letter dated 06.08.2018, in the light of recommendation made by Hon'ble Justice S.B. Sinha Commission vide its order dated 29.10.2015.

c. Further, commanding upon the respondents to give full effect to Ranchi University's Notification No. Estt./EC/133/18 dated 06.08.2018 whereby the petitioner was absorbed with effect from 01.07.2015; and further to declare that the respondents cannot deny or withhold the petitioner's absorption/pay fixation merely on the ground that he was below 18 years of age on 09.09.1985, particularly in view of the judgments passed by the full bench of this Hon'ble Court in the case of Ranchi University Grade-IV Staff Association & Anr. v. State of Jharkhand (LPA no. 278/2004) & Ors.; State of Jharkhand & Ors. v. Arun Kumar Dhar and State of Bihar & Ors, v. Bihar Rajya M.S.E.S.K.K. Maha Sangh & Ors. reported in 2005 (IX) SCC 129;

d. Further, a writ in the nature of declaration that the petitioner's absorption under Section 4(1) (14) of the Jharkhand State Universities Act, 2000, having been made by the competent authority being Ranchi University, Ranchi, and having not been cancelled/de-notified, cannot be rejected by the State Government and thus the respondents State is under obligation to approve/finalize the petitioner's pay fixation consequent upon his absorption with effect from 01.07.2015 and to grant all consequential service benefits in accordance with law;

> *e. Further, directing inter-alia the respondents to calculate and pay to the petitioner all arrears of salary and other consequential monetary benefits arising out of his absorption and pay fixation with effect from the date legally found due, together with applicable interest; and further to count the petitioner's qualifying service for all retiral/service benefits in accordance with the applicable rules and the date of absorption/service entitlement;*
>
> *f. Further, restraining the respondents, from withholding the petitioner's absorption/pay fixation on the ground that the petitioner was below 18 years of age on the date of his initial appointment, specially appreciating the fact that in terms of the report of Justice S.B. Sinha Commission proceedings, the University's already issued necessary order of absorption of service of the petitioner vide notification dated 06.08.2018, and had also issued necessary pay fixation order and had forwarded the same to the State Government for its approval.*
>
> *g. Further, prays to grant interim protection by directing the respondents not to disturb the petitioner's service status or treat his service as non-existent merely on the ground of his age at the time of initial appointment, during pendency of the writ petition, and also to direct the respondents to provisionally process the petitioner's pay fixation and consequential service benefits in terms of the University's absorption notification dated 06.08.2018, subject to the final outcome of the writ petition, and also award costs of the present proceeding in favor of the petitioner."*

3. Learned counsel for the petitioner submits that the petitioner is fully entitled for the prayer made in the instant writ application, as such, he submits that this case may be disposed of by giving liberty to the petitioner to approach the concerned respondent for redressal of the grievance.

4. Learned counsel for the respondents fairly submits that since no counter affidavit has been filed; as such the petitioner may be directed to approach the concerned respondent by filing a fresh representation, who shall look into the matter so that the grievance of the petitioner can be redressed.

5. Having regard to the aforesaid submissions and without going into the merits of the case, the instant writ application is hereby disposed of by directing the

respondent No. 3 to look into the grievance of the petitioner by treating this writ application as representation and decide the claim of the petitioner, and forward the same to respondent no. 2 within a period of 6 weeks, thereafter, respondent no.6 shall take the final decision in the matter in accordance with law and applicable rules and regulations, and also in light of Annexure-8 which is appended to this application, by passing a reasoned and speaking order within a period of 4 weeks thereafter, and communicate the same to the petitioner, and if the order is passed in favour of the petitioner, the consequential benefits be granted within a further period of 4 weeks. The petitioner may serve a copy of this writ application along with the relevant documents to the concerned respondent for convenience.

6. Pending I.A., if any, also stands closed.

(Deepak Roshan, J.)

23.09.2026

Abha/-